

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

KENNETH WAYNE WHITSON,)
)
Petitioner,)
)
v.) Case No. 3:24-cv-00930-MHH-SGC
)
STATE OF ALABAMA,)
)
Respondent.)

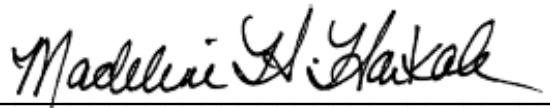
MEMORANDUM OPINION

On February 6, 2025, the magistrate judge entered a report in which she recommended that the Court deny this petition for writ of habeas corpus, filed *pro se* by Kenneth Wayne Whitson pursuant to 28 U.S.C. § 2254, without prejudice because Mr. Whitson did not exhaust his federal constitutional challenges to his state-court conviction in state court. (Doc. 14; *see also* Doc. 11). The U.S. Postal Service returned the report as undeliverable, and Mr. Whitson has not updated his contact information. (Doc. 15).

Having reviewed the materials in the electronic docket in this case, the Court adopts the magistrate judge's report and accepts her recommendation. By separate order, the Court will dismiss this matter without prejudice. The Court declines to issue a certificate of appealability. Mr. Whitson may request a certificate of

appealability from the Eleventh Circuit Court of Appeals. Fed. R. App. P. 22(b);
11th Cir. R. 22-1.

DONE and **ORDERED** this April 7, 2025.


MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE